

Notice of Allowability

Application No.

10/624,846

Examiner

Joe H. Cheng

Applicant(s)

HESLIP, STEPHEN

Art Unit

3715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 9/28/05 and 11/3/05.
2. ☒ The allowed claim(s) is/are 18-24,26,27,29,31 and 32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bernard L. Kleinke (applicant's attorney) on September 14, 2006.

3. The application has been amended as follows:

In the claims:

Rewrite claims 18, 19, 22, 26 and 27 as follow:

--18. (currently amended) A learning aid for use on a computer to facilitate learning to play a stringed musical instrument, comprising:

a circular matrix being displayed on the computer and [indicia] having a plurality of columns and a plurality of rows;

wherein the columns of the matrix are musical key columns and are associated with a group of different musical keys and the rows of the matrix are associated with an ordered set of different chords, wherein each column includes a musical key indicia representing one of the musical keys and primary chord indicia representing primary chords corresponding to the one of the musical keys, wherein the columns are organized so that a pair of [adjacent] columns adjacent to opposite sides of a first musical key column, having a first musical key, include chords of a chord combination corresponding with the first musical key, and wherein the chords

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of the first column and of the pair of adjacent columns comprise a chord combination for the first musical key;

chord position indicia being displayed on the computer and configured to represent a plurality of strings of the musical instrument;

finger position indicia being displayed on the computer and positioned relative to the strings of the chord position indicia to display how selected ones of the chords of the chord combinations are to be played; [and]

wherein the entire circular matrix is rotated to locate a selected one of the key indicia at a top position of the displayed matrix such that the selected key indicia and a chord combination of chord indicia associated with the selected key indicia are disposed at the top of the displayed matrix to be easily viewed and differentiated from the other chords; and

wherein [a key is selected by a user and then] one of the chords of [a] the chord combination associated with the selected key indicia is selected by [the] a user, and [wherein] displayed on the computer in response to the selecting of one of the chords is a given [the] finger position indicia disposed relative to the chord position indicia to illustrate how to play the selected chord of the selected chord combination.

--19. (currently amended) The learning aid of claim 18, wherein the [matrix is configured in a] circular matrix [configuration, comprising] comprises a series of radial columns and concentric annular rows.

--22. (currently amended) The learning aid of claim 20, wherein [there are] the circular matrix comprises 12 keys columns and a total of 36 chords.

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--26. (currently amended) A method [of] for use on a computer for facilitating the learning to play a stringed musical instrument, comprising:

[using] displaying on the computer a circular matrix having a plurality of columns and a plurality of rows;

wherein the columns of the matrix are musical key columns and are associated with a group of different musical keys and the rows of the matrix are associated with an ordered set of different chords, wherein each column includes a musical key indicia representing one of the musical keys and primary chord indicia representing primary chords corresponding to the one of the musical keys, wherein the columns are organized so that a pair of [adjacent] columns adjacent to opposite sides of a first musical key column, having a first musical key, include chords of a chord combination corresponding with the first musical key, and wherein the chords of the first column and of the pair of adjacent columns comprise a chord combination for the first musical key;

[using] displayed on the computer chord position indicia configured to represent a plurality of strings of the musical instrument;

[using] displayed on the computer finger position indicia positioned relative to the strings of the chord position indicia to display how selected ones of the chords of the chord combinations are to be played; [and]

rotating the entire circular matrix to locate a selected one of the key indicia at a top position of the displayed matrix such that the selected key indicia and a chord combination of chord indicia associated with the selected key indicia are disposed at the top of the displayed matrix to be easily viewed and differentiated from the other chords; and

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wherein [a key is selected by a user and then] one of the chords of [a] the chord combination associated with the selected key indicia is selected by [the] a user, and [wherein] displayed on the computer in response to the selecting of one of the chords is a given [the] finger position indicia disposed relative to the chord position indicia to illustrate how to play the selected chord of the selected chord combination.

--27. (currently amended) The method of claim [25] 26, wherein the [matrix is configured in a] circular matrix [configuration, comprising] comprises a series of radial columns and concentric annular rows.

--29. (currently amended) The method of claim [25] 26, further including using current chord display indicia.

--31. (currently amended) The method of claim [25] 26, further including using fret number indicia.

--32. (currently amended) The method of claim [25] 26, wherein the types of chords include major, minor, and seventh.

Cancel claims 25, 28, 30 and 33.

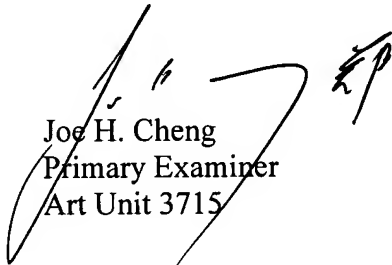
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe H. Cheng whose telephone number is (571)272-4433. The examiner can normally be reached on Tue.- Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571)272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-272-3700.

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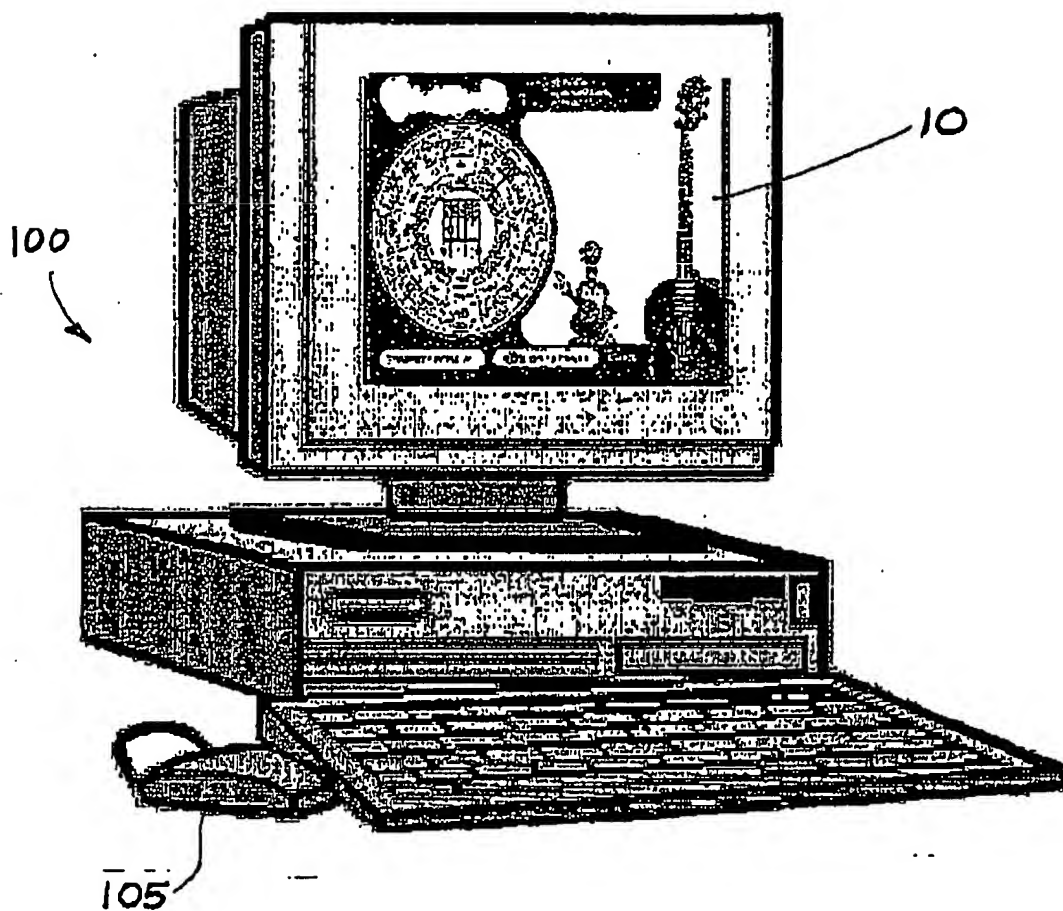
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joe H. Cheng
September 14, 2006



Joe H. Cheng
Primary Examiner
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Fig. 4